

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA
(READING)**

IN RE:

Deborah M. Bebko
Debtors

CHAPTER 13

CASE NO.:19-15281-pmm

**OBJECTION OF WILMINGTON TRUST, NATIONAL ASSOCIATION, NOT IN ITS
INDIVIDUAL CAPACITY, BUT SOLELY AS TRUSTEE FOR MFRA TRUST 2014-2,
LLC TO THE CONFIRMATION OF THE DEBTOR'S SECOND AMENDED CHAPTER
13 PLAN**

Movant, Wilmington Trust, National Association, not in its individual capacity, but solely as trustee for MFRA Trust 2014-2 ("Movant"), by its attorneys Hill Wallack LLP, hereby objects to the confirmation of the Debtor's Second Amended Chapter 13 Plan as follows:

1. Wilmington Trust, National Association, not in its individual capacity, but solely as trustee for MFRA Trust 2014-2 is the holder of a Note and Mortgage on real property owned by Steven S. Bebko and Deborah M. Bebko ("Debtor") at 115 E. Walnut Street, Ephrata, PA 17522 (the "Property").

2. As of the Petition date, Movant is the holder of a secured claim in the amount of \$173,023.97 with pre-petition arrears due in the amount of \$43,843.53 together with additional legal fees and costs and taxes due and payable on the Mortgage Premises per the Proof of Claim filed October 4, 2019.

3. On September 29, 2020, this Court entered an Order for Relief in favor of Wilmington for cause due to Debtor's failure to maintain post-petition mortgage payments.

4. Debtor's proposed plan attempts to incorporate \$12,000 into the plan payments, to be paid along with the pre-petition arrears in the amount of \$43,843.43 in contravention of the previously awarded stay relief.

5. Debtor's plan payment are schedules as \$1,500 for the next 12 months, which sum will be insufficient to cure the sums due to Wilmington, in violation of 11 U.S.C. §1324(a)(5).

6. Debtor's budget as set forth on Schedules "I" and "J" do not reflect that Debtor has the financial ability to cure the arrears due to Wilmington within the life of the case. That, along with Debtor's history in this case of failing to make timely payments, demonstrate that Debtor's proposed plan lacks feasibility pursuant to 11 U.S.C. §1325(a)(6).

7. If the Plan is confirmed, the Movant may suffer irreparable injury, loss, and damage.

Wilmington Trust, National Association, not in its individual capacity, but solely as trustee for MFRA Trust 2014-2, Movant, respectfully requests that this Honorable Court deny confirmation of the Debtor's Chapter 13 Plan and enter a bar on any further filings of Chapter 13 by the Debtor.

Respectfully submitted,

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ORDER

AND NOW, this day of , 2021, upon consideration of the Debtors' Chapter 13 Plan, and the objection of Wilmington Trust, National Association, not in its individual capacity, but solely as trustee for MFRA Trust 2014-2, and after hearing, it is hereby:

ORDERED that confirmation of the Debtor's Chapter 13 Plan is denied.

BY THE COURT:

PATRICIA M. MAYER
U.S. Bankruptcy Judge

Deborah M. Bebko
115 E. Walnut Street
Ephrata, PA 17522

Debtors
Via Regular Mail

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CASE NO.: 19-15281-pmm

**CERTIFICATE OF SERVICE OF OBJECTION TO CONFIRMATION OF THE
DEBTOR'S CHAPTER 13 PLAN**

I certify under penalty of perjury that I served or caused to be served the above-captioned pleading, Objection to Confirmation of the Debtor's Second Amended Chapter 13 Plan, on the parties below via First-Class Mail and Electronic Notification on April 8, 2021.

Deborah M. Bebko
115 E. Walnut Street
Ephrata, PA 17522
Debtors
Via Regular Mail

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